

AN ORDINANCE 101470

AUTHORIZING THE EXECUTION OF A CONTRACT AMENDMENT BETWEEN THE CITY OF SAN ANTONIO AND THE COMMUNITY ECONOMIC REVITALIZATION AGENCY, INC. TO EXTEND THE TERM FOR TWO YEARS THROUGH SEPTEMBER 30, 2007 IN THE AMOUNT OF \$50,000.00 PER YEAR AND AUTHORIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$50,000.00 FOR THE FISCAL YEAR 2005-2006 AVAILABLE FROM THE CITY'S NEIGHBORHOOD COMMERCIAL REVITALIZATION PROGRAM IN CONNECTION WITH THE EASTTOWN @ COMMERCE REVITALIZATION PROJECT; APPROPRIATING FUNDS; PROVIDING FOR PAYMENT; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE UPON PASSAGE BY EIGHT (8) AFFIRMATIVE VOTES.

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WHEREAS, on July 22, 1999, by Ordinance No. 90143, the City Council of San Antonio ("City Council") authorized the execution of a Neighborhood Commercial Revitalization ("NCR") Program Contract between the City of San Antonio (the "City") and Neighborhoods Acting Together ("NAT") in the amount of \$225,000.00 for the revitalization of the commercial corridors of the target area in connection with the EastTown @ Commerce Revitalization Project (the "Project"); and

WHEREAS, on September 13, 2001, by Ordinance No. 94543, the City Council authorized an amendment of the Contract to extend the term to September 30, 2005, and to increase the project funding by \$200,000.00; and

WHEREAS, on February 21, 2002, by Ordinance No. 95356, the City Council authorized the reassignment of NAT's program funds and contract obligations to the Community Economic Revitalization Agency, Inc. (CERA); and

WHEREAS, the City Council requested an NCR Program review in 2003, which was conducted by Eichenfield and Associates; and

WHEREAS, Eichenfield and Associates recommended amending existing NCR Agreements at the time that the contract comes up for renewal to allow for a two (2) year extension in the amount of \$50,000.00 per year, contingent upon a demonstrated \$15,000.00 annual leverage and performance; and

WHEREAS, based on CERA's performance of the Contract deliverables, including the demonstrated leverage, staff recommends extending the term of the Contract for two (2) years and increasing the amount of the Contract by \$50,000.00 per year, contingent upon funding availability; and

WHEREAS, the amount of \$50,000.00 is available from the NCR Program to increase the amount of this Contract for FY 2005-2006; and

WHEREAS, staff also recommends amending the existing Project boundaries and the organizational requirements of CERA under the Contract; and

WHEREAS, it is necessary for the Ordinance to pass immediately so as to enable extension of the Contract term prior to the current Contract expiration date of September 30, 2005; and

WHEREAS, it is City Council's intention to authorize the immediate execution of an amendment to said NCR Program Contract between the City and CERA to incorporate the foregoing staff recommendations; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. An amendment to the contract between the City and CERA to extend the term for two (2) years through September 30, 2007 in the amount of \$50,000.00 per year, and to increase the amount of the Contract by \$50,000.00 for FY 2005-2006 is hereby authorized.

SECTION 2. An amendment to the contract between the City and CERA to extend existing Project boundaries and to modify the organizational requirements of CERA is hereby authorized.

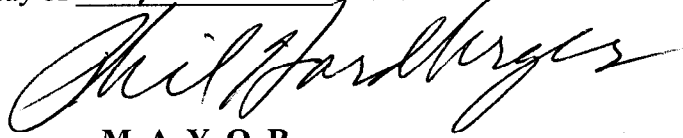
SECTION 3. The City Manager or the Deputy City Manager or an Assistant City Manager or an Assistant to the City Manager or the Director of Neighborhood Action Department is hereby authorized to execute an amendment to the NCR Program Contract between the City and CERA as described above. A copy of the Amendment is attached hereto and incorporated herein as Attachment 1.

SECTION 4. Funds not exceeding \$50,000.00 are authorized to be encumbered and made payable to CERA from Fund Number 28030000, Internal Order Number 131000001033, and General Ledger Account 5201040 entitled "Fees to Professional Contractors" upon execution of the amendment.

SECTION 5. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific SAP Fund Numbers, SAP Project Definitions, SAP WBS Elements, SAP Internal Orders, SAP Fund Centers, SAP Cost Centers, SAP Functional Areas, SAP Funds Reservation Document Numbers, and SAP GL Accounts as necessary to carry out the purpose of this Ordinance.

SECTION 6. This ordinance shall take effect immediately upon passage and approval by eight (8) affirmative votes.

PASSED AND APPROVED this 29th day of September, 2005.



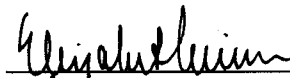
MAYOR

PHIL HARDBERGER

ATTEST:


City Clerk

APPROVED AS TO FORM:


City Attorney